

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 21ST MARCH 2007 / 30TH PHALGUNA 1928

WP(C).No. 30078 of 2004(E)

PETITIONER:

**A.S.A. HAROON, S/O. ABDUL KHADER,
AGED 62 YEARS, SECRETARY (RETD.), THE MUTHALAMADA
SERVICE CO-OPERATIVE BANK LIMITED, RESIDING AT
O.V.P. KALAM, NENMANI P.O., KOLLENGODE,
PALAKKAD DISTRICT.**

**BY ADV. SRI. K. RAMAKUMAR
SRI. T. RAMPRASAD UNNI**

RESPONDENTS:

- 1. STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO DEPARTMENT OF
CO-OPERATION, GOVERNMENT OF KERALA,
THIRUVANANTHAPURAM.**
- 2. THE MUTHALAMADA SERVICE CO-OPERATIVE
BANK LIMITED, REPRESENTED BY ITS SECRETARY,
H.O. KAMBRATHCHALLA, P.O. MUTHALAMADA,
PIN-678 507, PALAKKAD DISTRICT.**
- 3. THE ASSISTANT REGISTRAR OF CO-OPERATIVE
SOCIETIES (GENERAL), CHITTOOR.**

**R2 BY ADV. SRI. SAJAN VARGHEESE K.
SRI. LIJU. M.P
R1& R3 BY GOVERNMENT PLEADER SRI. MANOJ**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 21/03/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

A P P E N D I X

PETITIONER'S EXHIBITS:

- EXT. P1 : COPY OF THE COMMUNICATION DATED 15.3.2004
RECEIVED BY THE PETITIONER FROM THE PRESIDENT OF
THE 2ND RESPONDENT BANK.**
- EXT. P2 : COPY OF THE REPRESENTATION DATED 24.3.2004
SUBMITTED BY THE PETITIONER BEFORE R3.**
- EXT. P3 : COPY OF THE COMMUNICATION DATED 29.3.2004
RECEIVED BY THE PETITIONER FROM R3.**

SECOND RESPONDENT'S EXHIBITS:

- EXT. R2(a) : COPY OF THE AUDIT OBJECTION (1999-2000).**
- EXT. R2(b) : COPY OF THE RELEVANT PORTION OF THE SPECIAL
BYE-LAW NO. 7(ii) OF THE RESPONDENT NO. 2 BANK.**

// TRUE COPY//

P.A. TO JUDGE.

smp

KURIAN JOSEPH, J.

W.P.(C) NO. 30078 OF 2004

Dated this the 21st day of March, 2007.

J U D G M E N T

This petition is filed praying for a direction to the respondents to disburse the surrender value of 84 days to the petitioner that he had worked under the second respondent. Petitioner also prays for an opportunity to approach the Co-operative Society in the light of a subsequent judgment of the Division Bench. This writ petition is disposed of making it clear that, in the event of the petitioner approaching the second respondent as above, appropriate action in the light of the judgment relied on by the petitioner, which has become final, will be taken by the second respondent within another three months.

KURIAN JOSEPH, JUDGE.

smp